

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

CIVIL REVISION APPLICATION No 982 of 1994

For Approval and Signature:

Hon'ble MR.JUSTICE S.K.KESHOTE

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1. Whether Reporters of Local Papers may be allowed to see the judgements?
2. To be referred to the Reporter or not?
3. Whether Their Lordships wish to see the fair copy of the judgement?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
5. Whether it is to be circulated to the Civil Judge?

GUJARAT STATE ROAD TRANSPORT CORPORATION & 2

Versus

MAHENDRASINH N ZALA

Appearance:

MR MG NAGARKAR for Petitioners

MR ASHIN H DESAI for Respondent

CORAM : MR.JUSTICE S.K.KESHOTE

Date of decision: 02/12/98

ORAL JUDGEMENT

#. Heard the learned counsel for the parties.

#. In the suit, the plaintiff-respondent challenged the order of the Corporation by which he was ordered to be reverted from higher post to lower post. Alongwith the suit, he filed an application for grant of temporary injunction and the learned trial Court granted exparte

temporary injunction in his favour but after hearing both the parties, it was vacated. The plaintiff filed an appeal in the Court of District Judge, Kutch-Bhuj which came to be decided by the Assistant Judge, Kutch at Bhuj on 28.2.94 and the appeal was allowed and ex parte interim injunction granted by the trial Court was confirmed. Hence this revision application before this Court by the Corporation.

#. On 19th September 1994, this revision application was admitted and ad-interim stay of operation and implementation of the impugned appellate judgment and order dated 28.2.94 was granted. This interim relief granted by this Court continues till this date. The learned counsel for the respondent states that the respondent is working on the higher post and he has shown the order of the Corporation dated 12.9.95, copy of which is taken on record. On reading of this order, it appears that the petitioner has been given promotion on temporary basis after filing of this revision application by the Corporation. In view of this fact, this revision application is disposed of in terms that the suit itself may be disposed of by the trial Court within a period of six months from the date of receipt of writ of this order. Whatever existing position is there shall continue till decision of the suit. The Civil Revision Application and Rule stand disposed of in aforesaid terms with no order as to costs.

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(sunil)